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Patent
Attorney's Docket No. 032304-040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
John F. Shanley) Group Art Unit: 3731
)
Application No.: 10/057,414) Examiner: Unassigned
)
Filed: January 25, 2002) Confirmation No.: 9725
)
For: EXPANDABLE MEDICAL DEVICE)
 WITH LOCKING MECHANISM)
)
)

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DEC - 4 2002

TECHNOLOGY CENTER R3700

AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.

☒ Also enclosed is Second Preliminary Amendment; Acknowledgment Postcard.

☒ Small entity status is hereby claimed.

☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (279) ☐ \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) previously submitted __, on __, for which continued examination is requested.

☐ Applicant(s) request suspension of action by the Office until at least __, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

☐ No additional claim fee is required.

(05/02)

☒ An additional claim fee is required, and is calculated as shown below:

A M E N D E D C L A I M S					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'T'L FEE
Total Claims	53	MINUS 47 =	6	× \$18.00 (103) =	108.00
Independent Claims	7	MINUS 6 =	1	× \$84.00 (102) =	84.00
If Amendment adds multiple dependent claims, add \$280.00 (104)					
Total Amendment Fee					192.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					96.00
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					\$96.00

☒ A claim fee in the amount of \$ 96.00 is enclosed.

☐ Charge \$ _____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Cindy A. Lynch
Cindy A. Lynch
Registration No. 38,699

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

Date: November 26, 2002



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WAT 11/2/03
Frank

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

Sir:

Prior to the examination of the above-identified application, please amend the application as follows:

Please add new Claims 48-53 as follows:

Sub C1
B1

48. (New) An expandable medical device comprising:
a plurality of elongated beams, the plurality of elongated beams joined together to form a substantially cylindrical device which is expandable from a cylinder having a first diameter to a cylinder having a second diameter, the plurality of the elongated beams having a beam width in a circumferential direction; and
a plurality of hinges connecting the elongated beams having a hinge width, wherein the hinge width is smaller than the beam width, wherein the plurality of hinges each have a first end connected to a first of the elongated beams and a second end connected to a second of the elongated beams, the hinges being tapered from the first end to the second end.

12/02/2002 WABDELRI 00000121 10057414
01 FC:2201
02 FC:2202
42.00 OP
54.00 OP